

FORTY-FOURTH DAY

(Continued)

(Monday, April 3, 1995)

AFTER RECESS

The Senate met at 8:30 a.m. and was called to order by Senator Harris.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time, and passed (vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill):

C.S.S.B. 36 (Brown) Relating to the registration of sexual offenders; providing a criminal penalty. (30-0) (30-0)

S.B. 413 (Brown) Relating to workers' compensation insurance coverage for volunteer emergency service members and personnel. (30-0) (30-0)

S.B. 479 (Armbrister) Relating to permitting an aircraft to be used in alcoholic beverage advertising or promotion. (30-0) (30-0)

(Senator West in Chair)

C.S.S.B. 532 (Brown) Relating to the retainage of payments for a contract to improve a state highway. (30-0) (30-0)

S.B. 647 (Barrientos) Relating to the involvement of the Texas Department of Licensing and Regulation in the regulation of water well pump installers. (30-0) (30-0)

S.B. 675 (Barrientos) Relating to the involvement of the Texas Department of Licensing and Regulation in the regulation of water well drillers. (30-0) (30-0)

S.B. 738 (Henderson) Relating to nonlawyer representation in a forcible detainer or a forcible entry and detainer suit in justice court. (30-0) (30-0)

Senator Henderson offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 738** by substituting the language in SECTION 1 as follows:

SECTION 1. Section 24.011, Property Code, is amended to read:

In forcible detainer suits in justice court for nonpayment of rent or holding over beyond a rental term, ~~[the parties]~~ landlords may represent themselves or be represented by their employees or the employees of their

authorized managing agents, who need not be attorneys; and tenants may represent themselves or be represented by any non-attorney who does not charge the tenant a fee for representation. In any forcible detainer or forcible entry and detainer suit in justice court, an authorized agent requesting or obtaining a default judgment need not be an attorney. Any party may be represented by an attorney.

The committee amendment was read and was adopted by a viva voce vote.

S.B. 780 (Luna) Relating to temporary justices of the peace. (30-0) (30-0)

Senator Luna offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 780** as follows:

Strike SECTION 2 and substitute the following:

SECTION 2. This Act takes effect September 1, 1995.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The committee amendment was read and was adopted by a viva voce vote.

S.B. 831 (Luna) Relating to the lease of property by the Department of Transportation for educational purposes. (30-0) (30-0)

Senator Luna offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 831** in SECTION 1 by striking the last sentence of proposed Section 2 of Article 6673a-3, Vernon's Texas Civil Statutes (page 1, lines 14-18, introduced version), and substituting: "The department shall charge, as a minimum, fair market value, with certain exceptions to be determined by the department for:

(1) leases of highway assets to public utility providers;

(2) leases [and] for social, environmental, and economic mitigation purposes; and

(3) a lease to an institution of higher education, as defined by Section 61.003, Education Code, for purposes of the institution."

The committee amendment was read and was adopted by a viva voce vote.

S.B. 956 (Luna) Relating to the conveyance of certain state-owned real property in Bexar County. (30-0) (30-0)

Senator Luna offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 956**, Section 1 (page 1, lines 5-7):

"Section 1. CONVEYANCE REQUIRED. The General Land Office may convey, on behalf of the state, the state's interest in the real property described by Section 2 of this Act."

The committee amendment was read and was adopted by a viva voce vote.

S.B. 958 (Harris) Relating to the adoption of a nonsubstantive revision of statutes relating to state purchasing and general services, including conforming amendments, repeals, and penalties. (30-0) (30-0)

S.B. 959 (Harris) Relating to nonsubstantive additions to and corrections in enacted codes, including the nonsubstantive codification of various laws omitted from enacted codes, and to conforming codifications enacted by the 73rd Legislature to other Acts of that legislature. (30-0) (30-0)

S.B. 983 (Truan) Relating to meetings of the mayors of municipalities for the purpose of making appointments to certain metropolitan rapid transit authorities. (30-0) (30-0)

S.B. 1015 (Gallegos) Relating to fire and police grievance procedures in certain municipalities. (30-0) (30-0)

S.B. 1038 (Leedom) Relating to calculation of interest on sales of public school land, recording of patents, the sale of minerals under lands dedicated to the permanent school fund, the commissioner's discretion to issue permits to prospect for minerals, and the lease of unsurveyed land in the public domain, including state-owned riverbeds and channels. (30-0) (30-0)

S.B. 1092 (Cain) Relating to the treatment for tax purposes of property held and used for a public purpose under an interlocal contract between political subdivisions. (30-0) (30-0)

**BILL REMOVED FROM
LOCAL AND UNCONTESTED BILLS CALENDAR**

Number

Senators Removing

S.B. 863

Sibley, Harris

**CONCLUSION OF SESSION FOR
LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer, Senator West in Chair, announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Truan, the Senate at 8:42 a.m. adjourned, in memory of Senate Parliamentarian Robert E. Johnson, until 10:00 a.m. today.

APPENDIX

REPORTS OF STANDING COMMITTEES

The following committee reports were received by the Secretary of the Senate:

March 29, 1995

EDUCATION — S.B. 728, S.B. 773, S.B. 786, C.S.S.B. 944, C.S.S.B. 979, C.S.S.B. 1280, C.S.S.B. 1320, H.B. 666

March 30, 1995

EDUCATION — C.S.S.B. 875

FINANCE — C.S.H.B. 1

NATURAL RESOURCES — C.S.S.B. 12

HEALTH AND HUMAN SERVICES — C.S.S.B. 22

INTERGOVERNMENTAL RELATIONS — S.B. 1013, S.B. 894 (Amended), S.B. 1367 (Amended), S.B. 1366, C.S.S.B. 1198, S.B. 543, S.B. 1014 (Amended), S.B. 1607, C.S.S.B. 74, S.B. 934, S.B. 1241, S.B. 892, C.S.S.B. 992

SIGNED BY GOVERNOR

(March 29, 1995)

S.C.R. 108

(March 30, 1995)

S.C.R. 54 H.C.R. 74

S.C.R. 75 H.C.R. 123

S.C.R. 77 H.C.R. 133

S.C.R. 94 H.C.R. 136

H.C.R. 26 H.C.R. 149

(March 31, 1995)

S.B. 8 (Effective immediately)

S.B. 238 (Effective immediately)